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The Honorable Lonny R. Suko

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*Attorneys for Plaintiff*  
*The Scotts Company LLC*

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON  
AT YAKIMA

THE SCOTTS COMPANY LLC,

Plaintiff,

v.

UNITED CAPITOL INSURANCE  
COMPANY; ROBERT E. WAGNER,  
Acting Director of Insurance of the  
State of Illinois as LIQUIDATOR OF  
UNITED CAPITOL INSURANCE  
COMPANY; and OFFICE OF THE  
SPECIAL DEPUTY RECEIVER,

Defendants.

Case No. CV-12-031-LRS

ORDER OF DISMISSAL WITH  
PREJUDICE

Pursuant to the parties' Stipulated Motion for Dismissal with prejudice,

ORDER OF DISMISSAL WITH PREJUDICE - 1

SCHWABE, WILLIAMSON & WYATT, P.C.  
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1 ECF No. 58,

2 IT IS HEREBY ORDERED that this matter is dismissed with prejudice  
3  
4 and without award of fees or costs.

5 Dated this 16<sup>th</sup> day of May, 2012.  
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8 *s/Lonny R. Suko*

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12 Lonny R. Suko  
13 United States District Judge

14 Presented By:

15 Schwabe, Williamson & Wyatt, P.C.  
16

17 By: /s/ Stephanie P. Berntsen

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ORDER OF DISMISSAL WITH PREJUDICE - 2

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Andrew Boron, Director of the State of Illinois Division  
of Insurance, solely in his capacity as statutory and  
court-affirmed Liquidator of United Capitol Insurance Co.,  
and Office of the Special Deputy Receiver*

ORDER OF DISMISSAL WITH PREJUDICE - 3

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Andrew Boron, Director of the State of Illinois Division  
of Insurance, solely in his capacity as statutory and  
court-affirmed Liquidator of United Capitol Insurance Co.,  
and Office of the Special Deputy Receiver*

ORDER OF DISMISSAL WITH PREJUDICE - 4

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